

## Coast Guard, Dept. of Homeland Security

## § 42.03–30

subject to the applicable law described in paragraph (a) of this section and the regulations prescribed thereunder in this subchapter.

[CGD 80–120, 47 FR 5722, Feb. 8, 1982, as amended by CGD 97–057, 62 FR 51043, Sept. 30, 1997; USCG–1998–4442, 63 FR 52190, Sept. 30, 1998]

### § 42.03–15 The Great Lakes of North America.

(a) The term “Great Lakes of North America” means those waters of North America which are defined in § 42.05–40, and in the exception in Article 5(2)(a) of the 1966 Convention.

(b) The expressions in the regulations in this part, such as “voyages by sea,” “proceed to sea,” “arrive from the high seas,” etc., shall be construed as having no application to voyages on the Great Lakes or portions thereof unless specifically provided otherwise in Part 45 of this subchapter.

[CGFR 68–60, 33 FR 10050, July 12, 1968]

### § 42.03–17 Special load line marks for vessels carrying timber deck cargo.

(a) Certain vessels having load line marks not related to carriage of timber deck cargo may be assigned timber load lines if they are in compliance with the applicable requirements governing timber deck cargoes in this subchapter. The timber load lines apply and may be used only when the vessel is carrying timber deck cargo.

(b) A new or existing vessel having timber load lines assigned to it, when carrying timber deck cargo, may be loaded to the vessel’s timber load line applicable to the voyage and season.

[CGFR 68–60, 33 FR 10050, July 12, 1968, as amended by CGD 80–120, 47 FR 5722, Feb. 8, 1982]

### § 42.03–20 Equivalents.

(a) Where in this subchapter it is provided that a particular fitting, material, appliance, apparatus, or equipment, or type thereof, shall be fitted or carried in a vessel, or that a particular provision shall be made or arrangement shall be adopted, the assigning authority, with the prior approval of the Commandant, may accept in substitution therefor any other fitting, material, apparatus, or equipment or

type thereof, or any other provision or arrangement: *Provided*, That it can be demonstrated by trial thereof or otherwise that the substitution is at least as effective as that required by the regulations in this subchapter.

(b) In any case where it is shown to the satisfaction of the assigning authority and the Commandant that the use of any particular equipment, apparatus, or arrangement not specifically required by law is unreasonable or impracticable, appropriate alternatives may be permitted under such conditions as are consistent with the minimum standards set forth in this subchapter.

[CGFR 68–60, 33 FR 10050, July 12, 1968]

### § 42.03–25 Experimental installations.

(a) Complete information (including plans, necessary instructions and limitations, if any) on proposed experimental installations affecting any fitting, material, appliance, apparatus, arrangement, or otherwise shall be submitted to the assigning authority for evaluation. After acceptance by the assigning authority, the complete information of such installation shall be forwarded to the Commandant for specific approval prior to installation. Complete information shall also be furnished for any associated installation(s) deemed necessary to prevent endangering the vessel during the trial period of proposed experimental installations.

(b) The use of approved experimental installations shall be permitted only when in accordance with instructions and limitations as specifically prescribed for such installations by the Commandant.

[CGFR 68–60, 33 FR 10050, July 12, 1968]

### § 42.03–30 Exemptions for vessels.

(a) For an individual vessel or category of vessels, upon the specific recommendation of the assigning authority, the Commandant may authorize an exemption from one or more load line requirements. Such recommendation and authorization will depend upon provision of any additional features as deemed necessary by the authorities to

ensure the vessel's safety in the services and under the conditions specified in paragraph (b) of this section.

(b) Exemptions from specific load line requirements for vessels meeting requirements of paragraph (a) of this section are authorized, subject to certain conditions, including type of voyage engaged in, as follows:

(1) For vessels engaged on international voyages between the United States and near neighboring ports of its possessions or of foreign countries. The exemptions may be permitted because the requirements are deemed to be unreasonable or impracticable due to the sheltered nature of the waters on which the voyages occur or other conditions. These exemptions shall be valid only so long as such a vessel shall remain engaged on specific designated voyages. If the voyage involves a foreign country or countries, the United States will require an exemption agreement with such country or countries prior to the issuance of the appropriate load line certificate.

(2) For vessels engaged on international voyages which embody features of a novel kind, and where non-exemption may seriously impede research, development, and incorporation of novel features into vessels. If the voyage or voyages intended involve a foreign country or countries, then the United States will require an exemption agreement with such country or countries prior to the issuance of a Load Line Exemption Certificate. If the Commandant grants an exemption pursuant to this paragraph (b)(2) to a U.S. flag vessel that operates on the Great Lakes of North America, he may notify the Chairman of the Board of Steamship Inspection of Canada of the nature of the exemption, but no special exemption certificate is issued.

(3) For a vessel not normally engaged on international voyages but which is required to undertake a single international voyage under exceptional circumstances.

(4) For self-propelled hopper dredges engaged on international voyages or on limited service domestic voyages by sea. These vessels may be exempt from applicable hatch cover requirements of § 42.15–25 of this part by showing they meet the requirements in § 174.310 of

this chapter. When a Load Line Exemption Certificate is issued for this exemption, it must have an endorsement that only seawater is allowed in the vessel's hoppers.

(c) A vessel given one or more exemptions from load line requirements under the provisions of paragraph (b)(1) of this section will be issued the appropriate load line certificate, using Form A1, A2, or A3. In each case the exemptions shall be specified on the load line certificate together with the Convention authority which authorizes such exemptions.

(d) A vessel given one or more exemptions under the provisions of paragraph (b)(2) or (b)(3) of this section will be issued a Load Line Exemption Certificate, using Form E1. This certificate shall be in lieu of a regular load line certificate, and the vessel shall be considered as in compliance with applicable load line requirements.

(e) The Commandant may exempt from any of the requirements of this part a vessel that engages on a domestic voyage by sea or a voyage solely on the Great Lakes and embodies features of a novel kind, if the novel features and any additional safety measures required are described on the face of the issued certificate.

(f) A vessel that is not usually engaged on domestic voyages by sea or on voyages on the Great Lakes but that, in exceptional circumstances, is required to undertake a single such voyage between two specific ports is—

(1) Subject to 46 U.S.C. 5101–5116 and the applicable regulations of this subchapter; and

(2) Issued a single voyage load line authorization by the Commandant that states the conditions under which the voyage may be made and any additional safety measures required for a single voyage.

[CGFR 68–126, 34 FR 9011, June 5, 1969, as amended by CGD 73–49R, 38 FR 12289, May 10, 1973; CGD 76–080, 54 FR 36976, Sept. 6, 1989; USCG–1998–4442, 63 FR 52190, Sept. 30, 1998]